

BOROUGH OF DELAWARE WATER GAP

Minutes of Council Meeting

October 1, 2012

The regular monthly meeting of the Borough Council of Delaware Water Gap was held in the Francis (Casey) Drake municipal building on Monday, October 1, 2012. Mayor Walter Conway was excused as was Council member P. Farber. Council members present: President Wayne MacWilliams, Vice President Bill Buzzard, George Munn, Jack Shoemaker, Susan Wilson and Elvi DeLotto. Also present Solicitor Todd Weitzmann, Engineer Jon Tresslar representing Boucher & James, Inc, Superintendent Bob Gallagher and Zoning Officer Larry Freshcorn.

President Wayne MacWilliams called the meeting to order at 7:30 pm with the Pledge of Allegiance. **MOTION** made by B. Buzzard seconded by S. Wilson, to accept the Treasurer's report and pay the bills. Motion passed unanimously. **MOTION** made by G. Munn seconded by E. DeLotto to accept the minutes of September 10, 2012 as presented. Motion passed unanimously.

SUPERINTENDENT'S REPORT

Road Work

Superintendent Gallagher reported that Bob Marki of L Marki & Son Inc. provided a quote of \$1,730.00 to cut sink hole at the corner of Minsi Road, remove, repave and to replace approximately 52 feet of pavement curb in front of the Kaiser residence. This brings the total of road work to \$8,580. B. Marki can start in two weeks. **MOTION** made by J. Shoemaker, seconded by G. Munn to proceed with the work on Kimberly Road, Oak Street and Minsi Road which includes replacing approximately 150 feet asphalt curbing, base repair, milling out 1 ½" asphalt and put down new wearing coat at a total cost of \$8,580. Motion passed unanimously.

Part-time Help

Superintendent Gallagher requested authority from Council for part-time help with the leaf and snow plowing. It was suggested that the Secretary investigate a temporary agency for someone who would work for four to five weeks. B. Gallagher said he would also look around to find someone local who would know the roads.

ENGINEER'S REPORT

Broad Street

There is no additional information on this project. PennDOT is not prepared to sign off because they feel there were things missed by the inspector and are keeping the permit open.

Fairview

Nothing new to report from the Engineer.

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Disposition of Manganese Removal Bids

Engineer Tresslar reported that bids on this project were received on September 10, 2012. The Water Committee met on September 26, 2012 to review the bids and make recommendation to Council. They recommended awarding the contract to Yannuzzi, Inc. in the amount of \$304,117.00 subject to PA DCED approval. The Water Committee also recommended rejecting all bids for the well redevelopment. Craig LaBarr will pump out Well #7 and if it reveals there is sediment and mineral problems with the water quality the recommendation will be tabled until the November meeting. **MOTION** made by G. Munn, seconded by J. Shoemaker to award the bid to the lowest bidder, Yannuzzi, Inc. in the amount of \$304,117.00, subject to PA DCED approval and review of bid documents and to reject the bids for the well redevelopment unless C. LaBarr finds that the pumping is not enough to clear the well. Motion passed unanimously.

Women Resources

Secretary informed Council that after reviewing the file and contacting the past Secretary there are no escrow funds in place for this project. Engineer Tresslar will contact their engineer to see if they think they have any money due.

Inter-Municipal River Trails

Engineer Tresslar reported Smithfield Township approved Payment #9 of the Intermunicipal Trail. He met with Julio Guirby from DRJTBC, who is very pleased with the project. There is a cost over run on this project and he requested for a transfer of money from the remaining money of a past project.

Adams Adverting Sign - Lighting Buffer

Last recommendation was to fertilize the plantings. Since there is nothing new on this project it will be removed from this report.

Strategic Planning

Engineer Tresslar had nothing new to report.

Floodplain Ordinance

Delaware Water Gap Planning Commission will be meeting on Monday, October 8th at 7:30 p.m. to review the Monroe County Planning Commission's recommendations on proposed DWG Floodplain Ordinance and to also review the Floodplain Ordinance created by the MCPC. Engineer Tresslar stated that each municipality is unique and the ordinance should be fined tune as such.

DRJTBC

A determination has been made that the DRJTBC will not be required to submit plans for a land development for the proposed addition to its garage facility on Delaware Avenue.

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Water Tank Painting Project

Engineer Tresslar stated B & J is on top of the contractor inspecting every step of the way. Today they noticed five pin leaks. He recommends that once notified and satisfied of the correction of the 5 pin leaks the balance of the money be release and the performance bond will become active. B. Buzzard stated that in all good conscious he cannot approve paying this bill, so he will abstain. G. Munn stated that Council should withhold the payment until it is completed to satisfaction. J. Tresslar stated that it has been completed. W. MacWilliams stated that the work should be done properly before we bring in the bond company. B. Buzzard expressed concerns that the preparation was not adequate the first time they painted. The job will deteriorate. There was no loose material in the surrounding area showing that it was sandblasted. The contractor tried to paint when weather was not suitable. He questioned if the contractor did follow the advice given by the paint manufacturer. B. Buzzard asked Council to read copy of the specs and then go take a look at the tank. You can already see rust trail. Engineer Tressler felt blasting would have been better and less labor intensive. He will further research manufacturer recommendations.

MAYOR'S REPORT

Mayor Conway submitted a written report.

ZONING UPDATE

Potcher / 611

Zoning Officer Freshcorn reported he had received renovation plans for the old Blue Note property on 611 from Brian Potcher. As per the Subdivision and Land development Ordinance it was forwarded to the Engineer who agreed with L. Freshcorn that it would need to be reviewed as a Land Development. B. Potcher has the right to ask Council for a waiver of that procedure. L. Freshcorn noted that B. Potcher was in attendance. B. Potcher explained there will be no increase in square footage, no change of use, retail at lower level and apartment upstairs. It will be brought up to code with a paved parking lot and handicap spaces. Mr. Potcher feels it will be a financial hardship to go through the Land Development process. When the project is 90% completed he will lease the property. He plans on changing the roofline in front to make it more pleasing. Discussion ensued with regards to the paving aspect that could cause runoff to neighboring properties. Council directed Mr. Potcher to update his plans showing the grading addressing the drainage concerns, and present them at the next meeting. Mr. Potcher stated he would have his engineer draw up the plans, if needs be he would only pave along the handicapped portion of the parking lot. He will not cause runoff in his neighbor's yards and plans to be a good neighbor.

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Zoning Hearing Board

B. Buzzard stated he was in attendance for the Zoning Hearing Board. He felt it would be money well spent in the future to have an attorney present with the Zoning Officer at these hearings. He stated that the Solicitor for the Zoning Hearing Board had great command of the hearing which helped our cause. Solicitor Weitzmann was unable to attend the meeting but met with the Zoning Officer to review the file. B. Buzzard felt that we should have an Alternate Solicitor for these situations. L. Freshcorn stated it was his first hearing and did not know what to expect but will be more prepared in the future.

Multi use Zoning Amendment

L. Freshcorn reported that Mayor Conway had asked for everyone to review this amendment. E. DeLotto stated that the multi use in the Industrial Zone has to be removed since we only have two in the Borough and they are worth protecting.

L. Freshcorn stated that the ordinance looks fine to him. E. DeLotto asked for clarification on part "g" which states all utilities are underground. It should be specific "served by water and sewer which shall be underground." Solicitor Weitzman will advertise the ordinance for the next meeting.

Village Study

S. Wilson is making a flyer to promote the visioning meeting and MCPC will have a flyer prepared to be placed in the building on Election Day. There is still a vacancy for one more community member to serve on the Village Study Steering Committee. J. Shoemaker asked that the visioning meeting be put in the post office, website and newsletter to encourage our residents and business community to attend the November 13th Visioning Process to be held at the Church on the Mountain Annex at 7:00 p.m.

MOTION made by G. Munn seconded by B. Buzzard to approve the Municipal Authority request for sewer shutoffs. Motion passed unanimously.

REPORTS

Council members G. Munn, E. DeLotto, J. Shoemaker and S. Wilson had nothing further to report.

Police Officer

MOTION made by B. Buzzard seconded by E. DeLotto to hire Robert Sutter as a Delaware Water Gap Borough part-time Police Officer subject to Certification per Harrisburg, at the rate of \$12.25 per hour. Motion passed unanimously.

Police Car

B. Buzzard reported that the police car was sent in for work. There is a short in the car which might be caused by the radio. The warrant on the radio will be researched.

Back Hoe

B. Buzzard reported that the back hoe was being worked on. There was a problem with the emergency brake.

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ADDRESS CONCERNS & QUESTIONS OF CITIZENS

Anthony Cridge asked for clarification on the minutes regarding the DRJTBC. He thought by reading the minutes that the DRJTBC was leaving the area. Council explained that they are putting an addition on their garage and they were interested in the Borough vacating Delaware Avenue. The matter is no longer under discussion.

ADJOURNMENT

MOTION made by S. Wilson, seconded by G. Munn to adjourn the meeting at approximately 8:10 p.m. Motion passed unanimously.

Respectfully submitted,

Ileana Hernandez
Borough Secretary / Treasurer

NEXT MEETING: November 5, 2012